

Exhibit “B”



We go wherever life takes you >

From the desk of
Chris Mandrell
Director of Human Resources

PO Box 2000, Lubbock, TX 79407
801 Texas Ave., Lubbock, TX 79401
806.712.2002
cmandrell@citibus.com

www.citibus.com

November 23, 2011

Cathy Blanco
EEOC El Paso Area Office
300 E. Main Suite 500
El Paso, TX 79901

RE: Charge Number 453-2012-0068

Dear Ms Blanco:

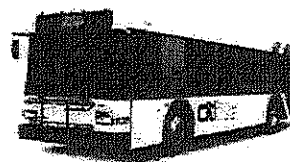
After receiving and reviewing the EEOC charge from claimant Eddie Wooten, he is charging McDonald Transit as the employer. However, Mr. Wooten was never an employee of McDonald Transit. His only employment was with City Transit Management Company, Inc. d/b/a Citibus.

Please advise on how we are to proceed with this claim. Your assistance is greatly appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Mandrell".

Chris Mandrell
Director of Human Resources



A McDonald Transit Associates, Inc. Contract Operator

EEOC Form 161 (1/1/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Eddie Wooten**
2407 33rd Street
Lubbock, TX 79411

From: **El Paso Area Office**
300 E. Main Suite 500
El Paso, TX 79901



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

846-2011-07746

M. Y. Moore,
Investigator

(915) 534-4507**THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:**

The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

MAR 30 2011

Enclosures(s)

for M. Y. Moore

Jeffrey H. Zelmanow,
Area Office Director

(Date Mailed)

cc: **Julie Rowden**
Director of Human Resources
CITI BUS TRANSIT
801 Texas Ave
Lubbock, TX 79401

J. Craig Johnson
Attorney at Law
2402 52nd Street, Suite 12
Lubbock, TX 79412



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
El Paso Area Office

300 E. Main Dr., Suite 500
El Paso, TX 79901-1331
Toll Free: 866-408-8075
Potential Charge Inquiries: 800-669-4000
TTY (915) 534-6710
FAX (915) 534-6701
<http://www.eeoc.gov>

Dallas District Office
San Antonio Field Office
El Paso Area Office

CITI BUS TRANSIT
801 TEXAS AVE
LUBBOCK TX 79401

RE: Charge Number: 846-2011-07746
Charging Party: EDDIE WOOTEN
Respondent: CITI BUS TRANSIT

Dear Sir/ Madam:

As a follow up to our previous mediation notice to you, the Equal Employment Opportunity Commission (EEOC) is unable to schedule mediation for this charge because not all parties agreed to mediate. One of the requirements of the mediation process is that both parties must agree to mediate. Therefore, the charge will be processed in accordance with the EEOC's established procedures.

If not already submitted, the employer is hereby requested to respond to the Request for Information previously mailed to the organization by the date indicated in block 4 of the Notice of Charge of Discrimination.

Open discussion of this charge for settlement/resolution purposes will continue to be an option throughout the entire investigative process. If you have any questions in the interim please call (800) 669-4000.

Sincerely,

DEC 22 2010

Date

Carolyn Cobb
Supervisor Investigator

EEOC Form 161 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Eddie Wooten**
8460 Longhorn Drive
Justin, TX 76247

From: **El Paso Area Office**
300 E. Main Suite 500

El Paso, TX 79901



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

453-2012-00068

Cathy Blanco,
Investigator

(915) 534-4527

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge.



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission

Cathy Blanco for

Jeffrey H. Zelmanow,
Area Office Director

March 27, 2012
 (Date Mailed)

Enclosures(s)

cc:

Chris Mandrell
Director of Human Resources
CITIBUS
P. O. Box 2000
Lubbock, TX 79457

Craig Johnston
2402 52nd St., Suite 12
Lubbock, TX 79412

EEOC FORM 131 (1/78)

U.S. Equal Employment Opportunity Commission

Chris Mandrell
Director of Human Resources
City Transit Mgt. Co., Inc. dba Citibus
P. O. Box 2000
Lubbock, TX 79457

PERSON FILING CHARGE

Eddie Wooten

THIS PERSON (check one or both)



Claims To Be Aggrieved



Is Filing on Behalf of Other(s)

EEOC CHARGE NO.

453-2012-00068**NOTICE OF CHARGE OF DISCRIMINATION**

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:



Title VII of the Civil Rights Act (Title VII)



The Equal Pay Act (EPA)



The Americans with Disabilities Act (ADA)



The Age Discrimination in Employment Act (ADEA)



The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

1.



No action is required by you at this time.

2.



Please call the EEOC Representative listed below concerning the further handling of this charge.

3.



Please provide by _____ a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

4.



Please respond fully by _____ to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.

5.



EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by _____ to _____.

If you **DO NOT** wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Cathy Blanco,
Investigator

EEOC Representative

Telephone

(915) 534-4527

El Paso Area Office
300 E. Main Suite 500
El Paso, TX 79901
Fax: (915) 534-6701

Enclosure(s):



Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION



Race



Color



Sex



Religion



National Origin



Age



Disability



Retaliation



Genetic Information



Other

See enclosed copy of charge of discrimination. PLEASE NOTE: CHARGING PARTY AMENDED HIS CHARGE TO CORRECT RESPONDENT.

Date

JAN 19 2012

Name / Title of Authorized Official

Jeffrey H. Zelmanow,
Area Office Director

Signature

Cathy Blanco for

EEOC FORM 131 (11/09)

U.S. Equal Employment Opportunity Commission

Human Resources Director MCDONALD TRANSIT 801 Texas Lubbock, TX 79401	PERSON FILING CHARGE
	Eddie Wooten
	THIS PERSON (check one or both) <input checked="" type="checkbox"/> Claims To Be Aggrieved <input type="checkbox"/> Is Filing on Behalf of Other(s)
EEOC CHARGE NO. 453-2012-00068	

NOTICE OF CHARGE OF DISCRIMINATION

(See the enclosed for additional information)

This is notice that a charge of employment discrimination has been filed against your organization under:

- ☐ Title VII of the Civil Rights Act (Title VII)
 ☐ The Equal Pay Act (EPA)
 ☐ The Americans with Disabilities Act (ADA)
☒ The Age Discrimination in Employment Act (ADEA)
 ☐ The Genetic Information Nondiscrimination Act (GINA)

The boxes checked below apply to our handling of this charge:

- ☐ No action is required by you at this time.
- ☐ Please call the EEOC Representative listed below concerning the further handling of this charge.
- ☐ Please provide by _____ a statement of your position on the issues covered by this charge, with copies of any supporting documentation to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☒ Please respond fully by **19-DEC-11** to the enclosed request for information and send your response to the EEOC Representative listed below. Your response will be placed in the file and considered as we investigate the charge. A prompt response to this request will make it easier to conclude our investigation.
- ☒ EEOC has a Mediation program that gives parties an opportunity to resolve the issues of a charge without extensive investigation or expenditure of resources. If you would like to participate, please say so on the enclosed form and respond by **09-DEC-11** to **Katherine S. Perez, ADR Coordinator, at (210) 281-2507**. If you **DO NOT** wish to try Mediation, you must respond to any request(s) made above by the date(s) specified there.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have, should be directed to:

Carolyn G. Cobb,
Supervisory Investigator

EEOC Representative

Telephone: **(915) 534-4504**

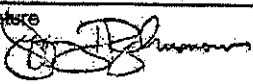
El Paso Area Office
300 E. Main Suite 500
El Paso, TX 79901
Fax: (915) 534-6701

Enclosure(s): ☒ Copy of Charge

CIRCUMSTANCES OF ALLEGED DISCRIMINATION

- ☐ Race
 ☐ Color
 ☐ Sex
 ☐ Religion
 ☐ National Origin
☒ Age
☐ Disability
☒ Retaliation
☐ Genetic Information
☐ Other

See enclosed copy of charge of discrimination.

Date Nov 17, 2011	Name / Title of Authorized Official Jeffrey H. Zelmanow, Area Office Director	Signature  Jeffrey Zelmanow
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Enclosure with EEOC Form 131



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
El Paso Area Office

300 E. Main Dr., Suite 500
El Paso, TX 79901-1331
Toll Free: 866-408-8075
Potential Charge Inquiries: 800-669-4000
TTY (915) 534-5710
FAX (915) 534-6701
<http://www.eeoc.gov>

Dallas District Office
San Antonio Field Office
El Paso Area Office

December 15, 2011

Chris Mandrell
Director of Human Resources
CITIBUS
801 Texas Ave.
Lubbock, TX 79401

RE: Charge No. 453-2012-00068
Charging Party: Eddie Wooten

Dear Mr. Mandrell:

Charging Party and his attorney have requested that we amend the charge listed above to name the correct employer, CITIBUS, on the face of the charge. As soon as I receive the signed AMENDED Charge from Charging Party, I will send you a new due date for your response to the AMENDED Charge. Thank you for your cooperation in this matter.

Sincerely,

Cathy Blanco
Cathy Blanco
Investigator
(915) 534-4527